

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Cable Horizontal)	
and Vertical Ownership Limits)	MM Docket No. 92-264
)	
Second Further Notice of)	
Proposed Rulemaking)	



MOTION TO ACCEPT LATE-FILED COMMENTS

The American Cable Association (“ACA”) files this Motion to Accept Late-Filed Comments under 47 CFR § 1.46.

1. Comments were due in response to the Commission’s Second Further Notice of Proposed Rulemaking (“*Second NPRM*”) in this docket on August 8, 2005.
2. ACA filed its Comments in this docket via ECFS on August 9, 2005 (the confirmation is attached as Exhibit 1).
3. ACA’s Comments were one day late due to unavoidable travel and scheduling issues.
4. Under 47 CFR § 1.46(a), the Commission will consider motions for acceptance of Comments made after the filing date.
5. Accepting ACA’s Comments is in the public interest, as the Comments will provide a more complete and accurate record in this matter. *See, e.g., In the Matter of Rules and Regulations Implementing the Telephone Consumer*

Protection Act of 1991, Report and Order, 18 FCC Rcd. 14,014 (2003) at ¶ 220.

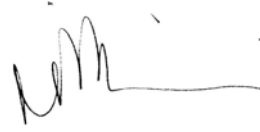
See also, *In the Matter of Bell Atlantic Progress Report on Compliance with Bell Atlantic/NYNEX Merger Order Conditions, Order*, 14 FCC Rcd. 4403 (1999) at ¶ 6.

6. Accepting ACA's Comments will not prejudice any party to this proceeding, especially considering that ACA's Comments are only one day late, and reply comments are not due for a full month. See, e.g., *In the Matter of Cox Communications, Inc. and Times Mirror Cable Television, Inc., Order*, 11 FCC Rcd. 1972 (1995) at note 9 (accepting comments that were between one and sixteen days late in order to provide a full and complete record, and because no party would be prejudiced by acceptance of the comments, even though no motion for extension of time had been filed). In other proceedings, the Commission has accepted late-filed Comments even after the reply date has passed. See, e.g., *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Second Report and Order*, 19 FCC Rcd. 16,964 (2004) at note 28.
7. In order to provide a full and complete record in this docket, and because no party will be prejudiced by acceptance of ACA's Comments, ACA requests that the Commission accept its late-filed Comments in this docket.

Respectfully submitted,

AMERICAN CABLE ASSOCIATION

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EXHIBIT 1



Federal Communications Commission

The FCC Acknowledges Receipt of Comments From ...

American Cable Association

...and Thank You for Your Comments

Your Confirmation Number is: '200589053890 '	
Date Received:	Aug 9 2005
Docket:	92-264
Number of Files Transmitted:	1
DISCLOSURE	

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